

Exhibit 15: June 26, 2017 Deposition Transcript  
of *Samuel Katz in Slovin, et al., v. Sunrun Inc.,  
et al.*, 4:15-cv-05340-YGR (N.D. Cal.)

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1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE NORTHERN DISTRICT OF CALIFORNIA

3

4                   -----x

5                   LYNN SLOVIN, an individual, on her own behalf  
6                   and on behalf of all others similarly situated,  
7                                   Plaintiff,

8                                   v.

9                   SUNRUN, INC., a California corporation,  
10                  CLEAN ENERGY EXPERTS, LLC,  
11                  a California limited liability company  
12                  doing business as SOLAR AMERICA,  
13                  and DOES 1-5, inclusive,  
14                                  Defendants.

15                  -----x

16                  Case No. 4:15-cv-05340-YGR

17                  -----x

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19

20                                  June 26, 2017

21    9:58 a.m.

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1       yourself other than Samuel Katz?

2           A       Can you please clarify the question?

3           Q       Have you ever gone by any other name  
4       other than Samuel Katz?

5           A       On an official document?

6           Q       In any capacity.

7           A       There are times when on illegal  
8       telemarketing calls, I've either gone along with  
9       a name that was read to me, or I have provided a  
10      false name in an effort to determine who was  
11      calling me.

12          Q       Is there any false name in particular  
13      that you would use when you had used a false  
14      name?

15          A       Dan Smith.   James McGill.

16          Q       Any others?

17          A       There might be.

18                   I don't remember any others.

19          Q       I imagine you also go by Sam --

20          A       Yes.

21          Q       -- Katz?

22                   Is there any other -- in any other

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1 many demand letters that either you or an  
2 attorney on your behalf have sent alleging  
3 claims under the TCPA or a similar type statute?

4 MS. PARASMO: Objection to form.

5 A What do you mean by "demand letter"?

6 Q A letter where you are writing to a  
7 company asserting that you have a claim based  
8 upon a call received and seeking money in  
9 response.

10 A Well, there is a number of situations  
11 where I've sent letters and I'm not seeking any  
12 money and I'm just looking for information on  
13 who provided my information to that company.

14 Q So let's talk -- let's divide them up,  
15 then.

16 Let's talk about the letters where you  
17 have actually made a demand -- a demand letter  
18 where -- seeking compensation for the calls that  
19 you received.

20 A Even those -- you know, I'll state  
21 monetary demand in an effort to get the  
22 attention of someone because I know that if I

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1 just say I want information, they will brush me  
2 off. So there needs to be something to kind of,  
3 you know, get them to respond, or get them to at  
4 least, you know, have an attorney that I can  
5 talk to or, you know, to try to gather  
6 information.

7 Q So how many times have you -- can you  
8 approximate how many times since 2015 you have  
9 sent a letter where you are asserting a claim  
10 and seeking some form of compensation or relief?

11 A You say a letter --

12 MS. PARASMO: Objection to form.

13 A -- what do you mean by "letter"?

14 Physical mail?

15 Q It can be sent by e-mail. It can be  
16 sent by FedEx. What I mean is a letter where --  
17 an e-mail where you are saying: I have a claim,  
18 or an attorney is saying it for you, and you are  
19 seeking money in response.

20 A I don't know how many.

21 Q Can you approximate?

22 A No.

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1 Q Has it been more than 10?

2 A I don't know.

3 Q You don't know if it's been more or  
4 less than 10?

5 A It's been more than 10.

6 Q Has it been more than 20?

7 A I don't know.

8 Q So you think it's somewhere between 10  
9 and 20?

10 A I don't -- it's difficult for me to  
11 differentiate between a kind of formal,  
12 well-laid-out demand letter where it's just  
13 stating -- my understanding at least from  
14 reading it online and looking at Googling things  
15 and figuring out is that, you know, sometimes,  
16 you know, it will be very short, you know,  
17 quick, you know, just looking for information.

18 Sometimes it will be a little bit  
19 longer if I think they might have more valuable  
20 information.

21 So it really depends on the context  
22 of -- you know, I wouldn't want to end up

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1 the caller ID and the date and the time and the  
2 phone number that it went to.

3 Q Is there some sort of log that you  
4 keep?

5 A Yes.

6 Q Ask it handwritten or typed?

7 A It's typed.

8 Q Approximately how long is the log?

9 A I think it's approximately 2,000 or  
10 2,400 rows.

11 Q Would that mean there is approximately  
12 2,000 or 2,400 calls reflected on those rows?

13 A Yes.

14 Q So each row gets a separate call?

15 A Yes.

16 Q Over what time have you been keeping  
17 this log?

18 A Since November of 2015.

19 Q Why did you start keeping this log?

20 A Because I spoke with Clinton Mayo --  
21 Miaio, or however his name is said -- and he  
22 gave me very crafty and guarded responses. And

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1 I thought that there was something going on that  
2 he didn't want me to figure out -- the way that  
3 he was saying things in the phone call.

4 Q So based on that phone, call you  
5 decided to start keeping a log.

6 A I realized that if I was going -- if I  
7 had a dispute with company like that that they  
8 weren't going to take my concerns seriously  
9 unless I had actual records of what happened.

10 Because they were just going to hide  
11 behind these statements, like: Well, I'm not  
12 talking about the -- I'm just talking about the  
13 demand letter. I'm not talking about anything  
14 else; and, you know, using -- obviously, they  
15 know the right things to say and I don't because  
16 I'm not an attorney. So they are saying things  
17 to try to protect themselves and hide something.

18 Q These 2,400 rows that are on these  
19 notes -- what is the most recent entry?

20 Does it bring us all the way up to  
21 today?

22 A No.



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1 trial.

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Q Okay. Let's talk about the phone numbers that you use, Mr. Katz.

What phone numbers do you presently use?

MS. PARASMO: Objection to form.

A I have a cellphone. I have a Google Voice number, and I have two landlines.

Q Let's go through those.

What is your cellphone number?

A [REDACTED].

Q And your carrier for that number is Verizon?

A Yes.

Q How long have you been -- are you the

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1 didn't do it, or other stuff.

2 And I realized that I needed to keep  
3 better records.

4 Q That was June of 2016?

5 A Yes.

6 Q So did you get new phone numbers for  
7 that purpose?

8 A No, I already had my Google Voice  
9 account.

10 Q I want to go back to your FIOS records  
11 for the [REDACTED] account.

12 And you said [REDACTED] is also Verizon?

13 A Hm-hmm.

14 Q Is that: Yes?

15 A Yes.

16 Q What is your phone number on your  
17 Google Voice account?

18 A [REDACTED].

19 Q When did you start using that phone  
20 number?

21 A Approximately 2004-2005. I think it  
22 was 2005, but I don't want to speculate too

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1 narrow of a window.

2 Q Was that affiliated with Google Voice  
3 at that time?

4 A No.

5 Q When did it become affiliated with  
6 Google Voice?

7 A When -- I think in 2011. It might  
8 have been 2012.

9 I'm not sure.

10 Q Why did you move it over to Google  
11 Voice?

12 A Because it was a phone number I had  
13 historically used. And I didn't want people  
14 that had that way of contacting me to lose  
15 contact with me when I got a new phone number.

16 Q Is that the only phone number you have  
17 on which you use Google Voice?

18 A Yes.

19 Q So let's -- before we talk about  
20 Google Voice, I want to go back to talk about  
21 your [REDACTED] phone number and the records that you  
22 are able to access on your FIOS account.

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1 what I'm saying?

2 Q I guess. Okay.

3 Have you ever maintained any phone  
4 line for the purpose of receiving calls that you  
5 claim that are in violation of TCPA?

6 A No.

7 MS. PARASMO: Objection.

8 Just let me get my objections in.

9 THE WITNESS: All right.

10 MS. PARASMO: I know you are eager to  
11 answer.

12 BY MS. MAZZUCHETTI:

13 Q So, you know, I apologize if I asked  
14 this before.

15 But on the timing of when you started  
16 forwarding to the [REDACTED] number, when did you  
17 begin forwarding calls from the [REDACTED] number to  
18 your [REDACTED] number?

19 A Approximately June of 2016.

20 Q When did you begin forwarding calls  
21 from your [REDACTED] number to the [REDACTED] number?

22 A The same period of time.

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1 date, then it had to have been provided to me  
2 from one of those attempts to either confirm or  
3 check when it was registered.

4 Q But you yourself never registered this  
5 number?

6 A If I didn't register it, it's because  
7 it wouldn't allow me to re-register it because  
8 it was already on the list.

9 Q Do you know whether anybody else in  
10 your household attempted to register the number?

11 A I don't think my wife would have. In  
12 either case, neither one of us had this phone  
13 number in 2003.

14 Q Okay.

15 Did you actually register the 6565  
16 number on January 3rd, 2013?

17 A Yes.

18 Q Is that something you yourself did?

19 A Yes.

20 Q Did you register the [REDACTED] number on  
21 April 29, 2016?

22 A Yes.

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1 Q Did you register the [REDACTED] number on  
2 February 2nd, 2008?

3 A Yes.

4 Q We are going to get into the rest of  
5 interrogatory No. 12 -- another the response,  
6 but we are going to go to another document.

7 But before we do that, I would like  
8 you to turn to page 43 of the supplemental  
9 responses which asked you to: Identify all  
10 lawsuits or threatened lawsuits or claims in  
11 which you have been involved in any capacity.

12 I will just point you to page 44 which  
13 identifies a series of TCPA lawsuits.

14 Do you see that?

15 A Yes.

16 Q There are nine lawsuits listed  
17 including this one.

18 Is that correct?

19 A That's correct.

20 Q So let's talk about Katz v. Starion  
21 Energy.

22 Is that lawsuit active today?

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1 Q Can you tell me how that works -- like  
2 how you set up such a feature?

3 A It's a setting.

4 Q So what -- do you program your Verizon  
5 phone every time you receive a call, you would  
6 get an e-mail indicating that the call was  
7 received?

8 A It's a feature that Verizon offers to  
9 all of their customers.

10 Q What phone numbers did you use this  
11 for?

12 A My [REDACTED] number and my [REDACTED] number.

13 Q Is this something that's available  
14 only on landlines?

15 Or can you also receive the same type  
16 of reporting on wireless numbers?

17 A I don't know.

18 Q Have you ever tried to use it on a  
19 wireless number?

20 A No.

21 Q So what I would like to do -- I  
22 arranged these in chronological order.